

<b>CONTINUING (1.53(b)) UTILITY PATENT APPLICATION TRANSMITTAL</b>		Attorney Docket No. 1398.1001DD	
		First Named Inventor: Simon CAO	
		Title:	REFLECTION-TYPE POLARIZATION-INDEPENDENT OPTICAL ISOLATOR, OPTICAL ISOLATOR/AMPLIFIER/MONITOR, AND OPTICAL SYSTEM
(Only for continuing applications under 37 CFR 1.53(b))		Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> <b>Commissioner for Patents</b> <b>Box Patent Application</b> <b>PO Box 1450</b> <b>Alexandria, VA 22313-1450</b>
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1. ☒ Fee Transmittal Form
2. ☒ Specification, Claims & Abstract..... [Total Pages: 64]
3. ☒ Drawing(s) (35 USC 113)..... [Total Sheets: 27] [FIGS. 1-25]
4. ☒ Oath or Declaration..... [Total Pages: 1]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))
5. ☐ This application is filed by fewer than all the inventors named in the prior nonprovisional application.
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☐ Verified Statement Claiming Small Entity Status
7. ☒ Incorporation by Reference (usable if Box 4b is checked)  
 The entire disclosure of the prior application (identified in Item 21), from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
8. ☐ Applicant claims foreign priority benefit to: Application filed
9. ☐ Application Data Sheet. See 37 C.F.R. 1.76
10. ☐ CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)
11. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies
12. ☒ Assignment to AVANEX CORPORATION of Fremont, CA at Reel 010393, Frame 0663  
☒ for publication of assignee information under 37 CFR 1.215(b)

**ACCOMPANYING APPLICATION PARTS**

13. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☐ Foreign priority benefit under 35 U.S.C. §119 is claimed.
  - a. ☐ Certified Copy of Priority Document(s) filed in prior application No..
  - b. ☐ Certified Copy of Priority Document(s) enclosed.
  - c. ☐ Certified Copy of Priority Document(s) to follow.
16. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
17. ☒ Preliminary Amendment
  - a. ☒ enclosed herewith.
  - b. ☒ incorporated herein (see Box 21).
18. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
19. ☐ Request and Certification for Nonpublication under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
20. ☒ Other: Request for Change of Address

 22386 U.S. PTO  
 10/718586  
 112403

**21. CONTINUING APPLICATION**, check appropriate box and supply the requisite information below:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 10/190,511, filed July 9, 2002, now pending, which is a divisional of application number 09/437,791, filed November 10, 1999, now issued as Patent No. 6,480,331.

Prior application information: Examiner: Curtis, Craig  
Group/Art Unit: 2872


**Preliminary Amendment:**

- ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ Amend the specification by inserting before the first line the sentence:--This application is a divisional of U.S. Application Serial No. 10/190,511, filed July 9, 2002, now pending, which is a divisional of application number 09/437,791, filed November 10, 1999, now issued as Patent No. 6,480,331.--

**22. NEW CORRESPONDENCE ADDRESS CUSTOMER NO. 21,171****21171**

PATENT TRADEMARK OFFICE

**23. SIGNATURE OF ATTORNEY OR AGENT**

NAME	Gene M. Garner II	REGISTRATION NO.	34,172
SIGNATURE		DATE	Nov. 24, 2003

<b>NEW APPLICATION FEE TRANSMITTAL</b>		Attorney Docket No.	1398.1001DD
		Application Number	Divisional of 10/190,511
		Filing Date	November 24, 2003
AMOUNT ENCLOSED	\$ 770.00	First Named Inventor	Simon CAO

**FEE CALCULATION** (fees effective 10/01/01)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS	4	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	1	- 3 =	0	X \$ 86.00 =	0.00
MULTIPLE DEPENDENT CLAIMS (any number; if applicable)				+ \$290.00 =	
				<b>BASIC FILING FEE</b>	<b>770.00</b>
				Total of above	\$ 770.00
				Calculations =	
Surcharge for late filing fee, Oath or Declaration (37 CFR 1.53(f)) (\$130.00)					
Reduction by 50% for filing by small entity (37 CFR 1.27).					
				<b>TOTAL FILING FEE =</b>	<b>\$ 770.00</b>
Surcharge for filing non-English language application (\$130.00; 37 CFR 1.52(d))					
Recordation of Assignment (\$40.00; 37 CFR 1.21(h))					
				<b>TOTAL FEES DUE =</b>	<b>\$ 770.00</b>

**METHOD OF PAYMENT**

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

**GENERAL AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.


19-3935

Deposit Account Name

STAAS &amp; HALSEY LLP

- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS &amp; HALSEY LLP

Typed Name	Gene M. Garner II	Reg. No.	34,172
Signature		Date	Nov. 24, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Simon CAO

Serial No. Div. of 10/190,511

Group Art Unit: To be Assigned

Confirmation No.

Filed: November 24, 2003

Examiner: To be Assigned

For: REFLECTION-TYPE POLARIZATION-INDEPENDENT OPTICAL ISOLATOR, OPTICAL ISOLATOR/AMPLIFIER/MONITOR, AND OPTICAL SYSTEM

**REQUEST FOR CHANGE OF ADDRESS**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Please correct the address of the undersigned attorney for applicants to:



**21171**

PATENT TRADEMARK OFFICE

Respectfully submitted,

STAAS & HALSEY LLP

Date: NW. 24, 2003

By:

Gene M. Garner II

Registration No. 34,172

1201 New York Ave, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501